

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Harold Rodriguez	Team: Squad #1	CCRB Case #: 201901326	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 01/30/2019 5:41 PM	Location of Incident: [REDACTED]	Precinct: 113	18 Mo. SOL 7/30/2020	EO SOL 3/16/2021	
Date/Time CV Reported Tue, 02/12/2019 7:52 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Tue, 02/12/2019 7:52 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. DT3 Daniel Ludemann	04386	938892	NARCBQS
2. INS William Taylor	00000	914984	NARCBQS

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Terence Curran	02389	902731	NARCBQS

Officer(s)	Allegation	Investigator Recommendation
A.DT3 Daniel Ludemann	Abuse: Detective Daniel Ludemann entered § 87(2)(b) in Queens.	[REDACTED]
B.DT3 Daniel Ludemann	Abuse: Detective Daniel Ludemann searched § 87(2)(b) in Queens.	[REDACTED]
C.INS William Taylor	Abuse: Inspector William Taylor refused to show the search warrant to § 87(2)(b)	[REDACTED]
D.INS William Taylor	Discourtesy: Inspector William Taylor spoke discourteously to § 87(2)(b)	[REDACTED]
E.INS William Taylor	Force: Inspector William Taylor used physical force against § 87(2)(b)	[REDACTED]
F.INS William Taylor	Off. Language: Inspector William Taylor made remarks to § 87(2)(b) based upon the gender of § 87(2)(b)	[REDACTED]
G.INS William Taylor	Discourtesy: Inspector William Taylor spoke discourteously to § 87(2)(b)	[REDACTED]
H.INS William Taylor	Discourtesy: Inspector William Taylor acted discourteously toward § 87(2)(b)	[REDACTED]

Case Summary

On February 12, 2019, § 87(2)(b) filed this complaint with the CCRB via its online website. The case was closed on April 3, 2019 as “Complainant Uncooperative” and re-opened on June 20, 2019 when § 87(2)(b) appeared for an interview and signed a re-open request.

On January 30, 2019, at approximately 5:41 p.m., officers from Queens South Narcotics entered and searched § 87(2)(b) in Queens as part of a search warrant (**Allegation A and B-Abuse of Authority: § 87(2)(g)**). Outside of the house, § 87(2)(b) asked to see the search warrant and Inspector William Taylor declined to show it to her (**Allegation C-Abuse of Authority: § 87(2)(g)**). Sgt. Terence Curran brought out § 87(2)(b)'s grandmother, § 87(2)(b) Dorleone, and § 87(2)(b) said she was not dressed for cold weather. Inspector Taylor allegedly replied, “Tell your brother to stop fucking dealing drugs” (**Allegation D-Discourtesy: § 87(2)(g)**). Inspector Taylor grabbed § 87(2)(b) to arrest her and allegedly pushed her against the wall and then brought her down onto the couch (**Allegation E-Force: § 87(2)(g)**). During the handcuffing process, Inspector Taylor allegedly called § 87(2)(b) a “bitch,” told her to, “shut the fuck up,” told officers to “take this bitch down to the precinct since she won’t shut the fuck up” and did so while continuously poking his finger into her cheek (**Allegation F-Offensive Language: § 87(2)(g)**) (**Allegation G and H-Discourtesy: § 87(2)(g)**). Officers arrested § 87(2)(b)'s uncle, § 87(2)(b) and her brother, § 87(2)(b) as part of the search warrant (Board Review 01) and § 87(2)(b) was arrested for resisting arrest and obstruction of governmental administration (Board Review 02).

§ 87(2)(b) provided five cellphone video clips recorded by her and her neighbors (Board Review 03, 04, 05, 06, 07). The officers involved did not have body worn cameras at the time of the incident.

Findings and Recommendations

Allegation (A) Abuse of Authority: Detective Daniel Ludemann entered § 87(2)(b) in Queens.

Allegation (B) Abuse of Authority: Detective Daniel Ludemann searched § 87(2)(b) in Queens.

It is undisputed that officers entered and searched § 87(2)(b) in Queens pursuant to a search warrant.

Det. Daniel Ludemann obtained search warrant § 87(2)(b) on § 87(2)(b) and signed by Queens County Judge, § 87(2)(b) (Board Review 08).

As per Criminal Procedure Law 690.05, officers may forcibly enter and search a location for which they have a valid search warrant (Board Review 09).

§ 87(2)(g)

Allegation (C) Abuse of Authority: Inspector William Taylor refused to show the search warrant to § 87(2)(b)

§ 87(2)(b) stated that she arrived at home and saw officers executing a search warrant. § 87(2)(b) tried to enter the house to see her grandmother, but Sgt. Curran and Ins. Taylor denied her entry. She asked to see the search warrant but directed the question at no particular officer. Inspector Taylor was the only officer that responded by saying, “no.”

Ins. Taylor stated that § 87(2)(b) continuously tried to enter the home as officers executed the search warrant. § 87(2)(b) demanded to see the search warrant and either he or Sgt. Curran asked her for proof that she lived there, but she could not provide any. As § 87(2)(b) could not prove that she lived at the location, Ins. Taylor did not show her the warrant. The individuals that were inside of the location, however, were shown the warrant.

Sgt. Curran did not recall if § 87(2)(b) asked to see the warrant. He also noted that in order for officers to show a warrant to somebody, the individual would have to prove that they lived at the address.

In video #1 (Board Review 03) provided by § 87(2)(b) she can be heard at the beginning of the video asking, “Can I see a warrant?” and Ins. Taylor replied, “No you cannot.” As this video does not capture the full incident, it is unknown if there was any conversation about the search warrant prior to this clip.

In video #2, (Board Review 04) one of § 87(2)(b)'s neighbors, either § 87(2)(b) or § 87(2)(b) took over recording with § 87(2)(b)'s cellphone after § 87(2)(b) was arrested. Officers walked out of the house and the recorder asked Sgt. Curran, “The warrant’s inside?” Sgt. Curran replied, “You live in the residence? If you have ID showing you live here, I’ll show you the warrant.” The recorder replied, “no.” Sgt. Curran explained that the warrant was shown to the individuals inside the house and a copy would be provided to their attorney at the precinct.

§ 87(2)(b) and § 87(2)(b) did not cooperate with providing statements to the investigation.

New York Criminal Procedure Law 690.50 specifies that an officer must make reasonable effort to give notice of his authority and purpose to an occupant before entry and show them the warrant or a copy thereof upon request (Board Review 13).

§ 87(2)(g)
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Allegation (D) Discourtesy: Inspector William Taylor spoke discourteously to § 87(2)(b)

§ 87(2)(b) stated that officers eventually allowed her grandmother, § 87(2)(b) to exit the house and Sgt. Curran asked if she could stay at a neighbor's house. § 87(2)(b) argued that § 87(2)(b) was not properly dressed for the cold weather. Ins. Taylor replied, "Then tell your brother to stop fucking selling drugs."

The third video (Board Review 04) provided by § 87(2)(b) from her cell phone captures the moment when § 87(2)(b) comes out of the house. At the 13 second mark of the video, § 87(2)(b) states, "She needs a jacket. Her knees are bad, it's fucking freezing and y'all got her all surrounded." Ins. Taylor then replied, "Then tell your brother to stop dealing drugs."

§ 87(2)(g)

Allegation (E) Force: Inspector William Taylor used physical force against § 87(2)(b)

Allegation (F) Offensive Language: Inspector William Taylor made remarks to § 87(2)(b) based upon the gender of § 87(2)(b)

Allegation (G) Discourtesy: Inspector William Taylor spoke discourteously to § 87(2)(b)

Allegation (H) Discourtesy: Inspector William Taylor acted discourteously toward § 87(2)(b)

§ 87(2)(b) stated that after she asked for a jacker for § 87(2)(b) Ins. Taylor grabbed § 87(2)(b) by the front of her jacket, pulled her into the house, pushed her against the wall and then brought her down on her knees onto a couch in the living room in order to handcuff her. She stated that she did not resist arrest. While on the couch, she stated that Ins. Taylor called her a "bitch," told her to, "shut the fuck up" and told her, "If you would have just shut the fuck up, you wouldn't be in handcuffs." Ins. Taylor then said, "take this bitch down to the precinct since she won't shut the fuck up." Ins. Taylor poked his index finger into § 87(2)(b)'s cheek after each statement. § 87(2)(b) did not know where her uncle and brother were but her neighbors and § 87(2)(b) were outside and did not see it occur.

Ins. Taylor stated that since § 87(2)(b) kept trying to push past officers to enter the house and kept yelling at the officers in the house, he ordered for her to be arrested. Ins. Taylor and Sgt. Curran brought § 87(2)(b) into the house and tried to handcuff her but did not push her against the wall. § 87(2)(b) resisted by pulling her arms away, therefore Ins. Taylor and Sgt. Curran took her to the ground and handcuffed her. He denied cursing at § 87(2)(b) calling her a bitch or poking his finger into her cheek.

Sgt. Curran denied being part of or observing § 87(2)(b)'s arrest and stated that he was in

front of the house at that time.

§ 87(2)(b) s videos do not capture her arrest inside of the house.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to one prior CCRB complaint and was not named a victim in any of the allegations (Board Review 10).
- PO Daniel Ludemann has been a member of service for 14 years and has been a subject in 10 CCRB complaints and 24 allegations, of which three were substantiated. § 87(2)(g)
 - 201506377 involved substantiated allegations of two stops and a retaliatory summons against PO Ludemann. The Board recommended Command Discipline A and the NYPD concurred.
- Ins. Taylor has been a member of service for 25 years and has been a subject in 29 CCRB complaints and 89 allegations, of which eight were substantiated:
 - 201603928 involved substantiated allegations of frisk and search. The Board recommended Command Discipline B and the NYPD imposed no disciplinary action.
 - 201605639 involved substantiated allegations of discourtesy. The Board recommended Command Discipline A and the NYPD imposed no disciplinary action.
 - 201606428 involved substantiated allegations of a stop, threat of arrest and discourtesy. The Board recommended Command Discipline A and the NYPD imposed no disciplinary action.
 - 201608412 involved a substantiated allegation for retaliatory summons. The Board recommended Command Discipline A and the NYPD concurred.

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- As of November 21, 2019, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regard to this complaint (Board Review 11).
- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City (Board Review 12).

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date